



February 16, 1990

Reply To  
Attn Of: SO-125

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Brian Rogers  
205 East Wooden Road  
Sunnyside, Washington 98944

Re: CERCLA General Notice Letter; Cliff's Battery Service,  
Sunnyside, Washington

Dear Mr. Rogers:

The United States Environmental Protection Agency (EPA) has documented the release or threat of release of hazardous substances at Cliff's Battery Service (site) in Sunnyside, Washington. As a result, EPA is required by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9601 et seq., as amended, to perform an investigation of the contamination at the site and to perform the appropriate cleanup activities.

By this letter EPA, is formally notifying you that you are a potentially responsible party (PRP) at the site. PRPs may be liable for all monies, including interest thereon, expended by the government to take response actions at the site including investigation, planning, studies, and clean up under CERCLA.

Under Section 107(a) of CERCLA, liability is imposed on current and past owners and operators at the site, persons who generated or otherwise arranged for the disposal of hazardous substances released at the site, and persons who were involved in the transport, treatment or disposal of hazardous substances at the site. Liability under Section 107 of CERCLA is strict, joint, and several for all responsible parties.

EPA has determined that you may be liable under Section 107(a)(1) of CERCLA as a present owner of the site. However this determination does not necessarily mean that you will ultimately be held liable for the response costs the government incurs at the site. A list of other PRPs named by EPA is attached to this letter.

If you are willing to perform the response measures which are necessary to clean up the site, you must notify EPA in writing no later than two weeks after of receipt of this letter. Also, EPA, upon your request, would be willing to meet

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with you to discuss the site's clean up during the two week period. If you fail to timely respond to this letter, EPA will, pursuant to its statutory authority under Section 106 of CERCLA, initiate the response measures which are necessary to clean up the site.

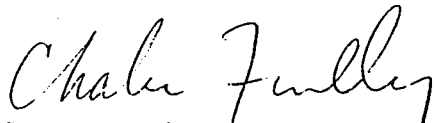
EPA requests your consent of its entry onto the site for the purpose of overseeing or conducting the necessary response actions. Attached to this letter you will find a consent to access to property form, which EPA would like you to sign and return on or before the end of the aforementioned two week period.

If you do not own or control the property in question, EPA requests, pursuant to Section 104 of CERCLA, 42 U.S.C. § 9604, to identify to EPA in writing the current owner and to provide an address and phone number where he or she can be contacted. Failure to provide this information within fourteen (14) calendar days after receipt of this letter can result in an enforcement action by EPA as authorized by Section 104(e) of CERCLA, 42 U.S.C. § 9604(e).

The factual and legal discussions contained in this letter are intended solely for notification and information purposes, and cannot be relied upon as a final Agency position on any matter set forth herein. However, this letter shall constitute formal notice of your potential liability for response actions the government undertakes at the site.

Your written response should be addressed to Carl Kitz, Superfund Removal & Investigations Section, U.S. Environmental Protection Agency (HW-0930), Seattle, Washington 98101. If you have any policy or technical questions contact Mr. Kitz at (206) 442-1263. If you have any legal questions contact Ted Yackulic, Assistant Regional Counsel, at (206) 442-1218.

Sincerely,



Charles E. Findley, Director  
Hazardous Waste Division